




Calder Plaza Building
250 Monroe Avenue NW
Suite 800
P.O. Box 306
Grand Rapids, MI 49501-0306

 MERITAS LAW FIRMS WORLDWIDE

CRAIG A. MUTCH
Attorney at Law

616.831.1735
616.988.1735 fax
MutchC@millerjohnson.com

November 16, 2010

Corbin Davis
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

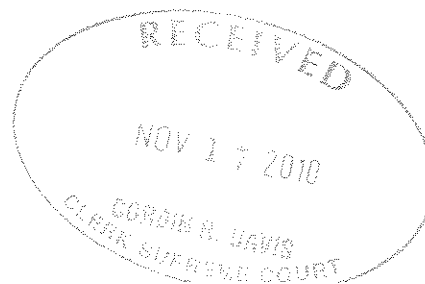
Re: ADM File No. 2010-18
Proposed Amendment to the "Pro Bono Rule" MRPC 6.1

Dear Mr. Davis:

I write as the Managing Member of Miller Johnson, in light of our firm's long pro bono history, to ask the Court to adopt the Alternative B version of proposed amendments to MRPC 6.1.

The State Bar's John W. Cummiskey Pro Bono Award was named after a founding partner of this law firm. Through John's national, state and local bar leadership, he observed the long-standing consensus in the legal profession that the primary purpose of pro bono is legal help for low-income persons. He and firm leaders who followed him targeted our pro bono efforts on legal assistance for those in need, and John gave over 50 years of his professional life to urging others to do the same. Over those years, John often cited U.S. Supreme Court Justice Lewis F. Powell's statement that "...justice should be the same, in substance and availability, without regard to economic status," and noted that only lawyers are uniquely able to volunteer legal assistance.

The State Bar's Voluntary Pro Bono Standard reflects this historical focus. Miller Johnson has consistently met or exceeded its call for 30 hours of voluntary legal service or \$300 for a legal aid program annually for each of our lawyers. The Standard's guidance has been helpful to us in sustaining our commitment to and clear view of what pro bono is. Alternative B incorporates specifics like those in the Standard to help lawyers understand their role in providing legal help for low-income people and to offer voluntary targets for doing so. It is also useful to have all this guidance in one place, particularly in the rule and its comments where lawyers will look first for direction.



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We realize that the amendments reflected in Alternative B also broaden the current Standard so that some other volunteer work would qualify as pro bono. While the amendments recognize that many lawyers also volunteer other community service, it is appropriate that the Rule emphasize that the "substantial majority" of pro bono should be legal services for the poor. While many lawyers also volunteer other community service, that service may be rendered for a variety of goals, including business development. The legal needs of the poor have in no way diminished since John Cummiskey started calling his peers to the task 50 years ago. Alternative B properly recognizes that need and continues the role of the profession is helping to ensure that equal justice is indeed for all.

There have also been some critical statements indicating that the historical focus of pro bono legal services is ideological or political. It has not been our experience at Miller Johnson that there is anything political in this work. We have spent thousands of hours over the years helping ordinary people with ordinary legal problems. If the concept that all citizens of the United States should have a fair opportunity at justice involves an element of ideology, then we must plead guilty of advancing that notion. Indeed, John Cummiskey's words are again apt; he said: "Access to justice is not a Republican ideal or a Democratic ideal. It is an American ideal." We believe that to be true.

We at Miller Johnson believe that Alternative B helps to advance this ideal by giving lawyers clear guidance on how they can continue the legal profession's important tradition of volunteering legal assistance for the poor.

Thank you for the opportunity to submit these comments.

Very truly yours,

MILLER JOHNSON

By



Craig A. Mutch
Managing Member

CAM:ls
cc: Jon R. Muth